

REMARKS

I. Introduction

With the addition of new claims 14 and 15, claims 1 to 15 are pending in the present application. In view of the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

II. Rejection of Claims 1 to 13 Under 35 U.S.C. § 103(a)

Claims 1 to 13 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of U.S. Patent No. 5,418,965 (“Mahar”), U.S. Patent No. 5,386,533 (“Morris”) and U.S. Patent Application Publication No. 2002/0046352 (“Ludwig”). Applicant respectfully submits that the combination of Mahar, Morris and Ludwig does not render unpatentable the present claims for at least the following reasons.

As an initial matter, the allegation that “[i]t is inherent that a document is sent with merchandise” is entirely irrelevant to the patentability of the present claims and is traversed, since the Office Action does not adequately establish that a document is necessarily -- as it must for inherency -- sent with merchandise.

Claim 1 recites, *inter alia*, determining whether a syntax of the data record conforms with a specified standard. Morris describe detecting incorrect data by comparing variable data with an earlier data. Detecting incorrect data by comparing variable data with an earlier data does not describe determining whether the syntax (predetermined rules governing the formation of statements in a programming language) of the data record conforms with a specified standard. Morris also describe modifying incorrect data and do not describe **determining whether the data record conforms with a specified standard**. Thus, Applicant respectfully submits that this feature is not described by Morris, Mahar or Ludwig.

Claim 1 further recites checking for conformity with a purchase order. Paragraph 4 of Ludwig describes a shipping document generated by a manufacturing firm, maintained by a shipping agent, and possibly accessed by the shipper and the intended recipient. Ludwig does not describe any party accessing the shipping document **checking it for conformity** with a purchase order. Thus, Applicant respectfully submits that this feature is not described by Ludwig or by Mahar or Morris.

Claim 1 further recites routing the data record to a receiver if the data record is error-free. The cited passage of Mahar describes retrieving data from mass storage and placing it into a virtual record storage buffer (VRSB). Thus, Mahar fails to describe any **checking of whether the data record is error-free**.

Furthermore, it is indisputable that Mahar does not disclose that electronic data records include at least one of electronic shipping-voucher data and shipping data sent by a sender to an information system, the at least one of the electronic shipping-voucher data and the shipping date accompanying goods to be shipped. Mahar also do not disclose, or even suggest, that a data checking step for a presence of errors includes a verification that the sender is authorized to send, determining whether a syntax of the data record conforms with a specified standard, and checking for conformity with a purchase order. Mahar further fails to disclose storing the data record in a defined access area of the information system if the data record is faulty, in which the data record stored in the defined access area is inspectable and correctable by the sender.

Morris describes a “correcting circuitry operable to correct said incorrect data by modifying an earlier data” The device of Morris examines data by bits. The data are, *e.g.*, recorded driving speeds of an automobile. The cited portions of Morris describe how data are checked for correctness: Two sequences of variable data are compared to each other. Morris nowhere describes that one data record is compared to a standard. Furthermore there is no disclosure that a data record is checked syntactically.

Ludwig, in paragraph [0004], describes that a carrier or shipping agent grants the sender or shipper certain access rights to an electronic document for a transportation order. Paragraphs [0014] and [0017] also describe merely how the carrier allows or denies the sender a certain access. Paragraph [0020] merely refers to Figure 1, which shows a computer network having four computers.

An automatic checking of data records as presently claimed is not described in Ludwig. Ludwig merely describes checking an access right.

Moreover, there is no motivation or suggestion to make the proposed combination. In this regard, Mahar describes how a database program dBDO checks for predefined errors in the storing of data records in a database. These errors are either DOS errors or dBDO errors. Ludwig describes sending electronic records with shipping data. Ludwig does not describe that these electronic records are checked, but merely the checking of the access right. Thus, it is readily apparent that the present rejection is based on improper conjecture, speculation or hindsight, which cannot support an obviousness rejection.

In summary, it is respectfully submitted that the combination of Mahar, Morris and Ludwig does not render unpatentable claim 1.

Since claim 5 includes features analogous to features included in claim 1, it is respectfully submitted that the combination of Mahar, Morris and Ludwig does not render unpatentable for at least the reasons more fully set forth above.

As regards claims 2 to 4 and 10 to 11, which depend from claim 1 and therefore include all of the features included in claim 1, it is respectfully submitted that the combination of Mahar, Morris and Ludwig does not render unpatentable these dependent claims for at least the same reasons more fully set forth above.

As regards claims 6 to 9 and 12 to 13, which depend from claim 5 and therefore include all of the features included in claim 5, it is respectfully submitted that the combination of Mahar, Morris and Ludwig does not render unpatentable these dependent claims for at least the same reasons more fully set forth above.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

III. New Claims 14 and 15

New claims 14 and 15 have been added herein. It is respectfully submitted that claims 14 and 15 add no new matter and are fully supported by the present application, including the Specification.

Since claim 14 includes features analogous to features included in claim 1, it is respectfully submitted that claim 14 is patentable over the references relied upon for at least the same reasons more fully set forth above in support of the patentability of claim 1.

Since claim 15 includes features analogous to features included in claim 5, it is respectfully submitted that claim 15 is patentable over the references relied upon for at least the same reasons more fully set forth above in support of the patentability of claim 5.

IV. Conclusion

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

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Respectfully submitted,

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